IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 367 OF 2004

Vasantdada Shetkari Sahakari Sakhar Karkhana Limited, Sangli, through its Managing Director. ... Petitioner

V/s.

The State of Maharashtra & Ors. ... Respondents

Mr. S.I. Page i/b. S.G. Page for the petitioner.
Mr. Devidas H. Ketuskar for Mr. N.V. Walawalkar for the respondent No. 2.

CORAM : V.R. KINGAONKAR,J.
DATED : 28th July, 2006

P.C.

. The learned counsel for the petitioner Shri Page has produced communication dated 4th July, 2006 (Exh."X") which is taken on record. He states that the entire amount has been paid and hence the dismissal of the appeal for the non-fulfillment of the condition precedent may be recalled. The learned counsel Shri Walawalkar for the respondent No. 2 has no objection to allow the request for revival of the appeal, if the petitioner would furnish the statement showing payment of the entire dues i.e. Octroi levied by the respondent No.2.

2. Therefore, the petition is disposed of with

direction that the Chief Judicial Magistrate, Sangli would verify the facts regarding the payments and revive appeal bearing No. 2 of 1996 by recalling earlier impugned order of dismissal.

3. The petition is disposed of according. No costs.

[V.R. KINGAONKAR, J.]